

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

William A. Hansen,

Complainant,

vs.

Jason Stone,

Respondent.

NOTICE OF DETERMINATION OF
PRIMA FACIE VIOLATION

AND

NOTICE OF AND ORDER FOR
PROBABLE CAUSE HEARING

**To: Jason Stone, 1708 57th Street East, Minneapolis, MN 55417; and
William A. Hansen, 3723 East Minnehaha Parkway, Minneapolis, MN 55417.**

On October 14, 2005, William Hansen filed a Complaint with the Office of Administrative Hearings alleging that Jason Stone violated Minn. Stat. § 211B.04 by failing to have proper disclaimers on his campaign literature and lawn signs. After reviewing the complaint and attached documents, the undersigned Administrative Law Judge has determined that the complaint sets forth prima facie violations of chapter 211B.04(a) and (b). In particular, a prima facie case has been made that the Respondent's flyer and lawn signs do not contain the address of the Respondent's campaign committee. Minn. Stat. § 211B.04(a) provides that disclaimers be "substantially in the form provided" in Minn. Stat. § 211B.04(b). Whether the contents of the disclaimers on the flyers and lawn signs are sufficient to satisfy the disclaimer requirements, are matters to be considered at the probable cause hearing.

THEREFORE, IT IS HEREBY ORDERED AND NOTICE IS HEREBY GIVEN that this matter is scheduled for a probable cause hearing to be held by telephone before the undersigned Administrative Law Judge at **4:00 p.m. on Tuesday, October 18, 2005**. The hearing will be held by call-in telephone conference. You must call: 651-284-3547 at that time. Follow the directions and enter the code "**6911**" when asked for the meeting number. The probable cause hearing will be conducted pursuant to Minn. Stat. § 211B.34. Information about the probable cause proceedings and copies of state statutes may be found online at www.oah.state.mn.us and www.revisor.leg.state.mn.us.

At the probable cause hearing all parties have the right to be represented by legal counsel, by themselves, or by a person of their choice if not otherwise prohibited as the unauthorized practice of law. In addition, the parties have the right to submit evidence, affidavits, documentation and argument for consideration by the Administrative Law Judge. Parties should provide to the Administrative Law Judge all evidence bearing on the case, with copies to the opposing party, before the telephone conference takes place. Documents may be faxed to Judge Sheehy at 612-349-2665.

At the conclusion of the probable cause hearing, the Administrative Law Judge will either: (1) dismiss the complaint based on a determination that the complaint is frivolous, or that there is no probable cause to believe that the violation of law alleged in the complaint has occurred; or (2) determine that there is probable cause to believe that the violation of law alleged in the complaint has occurred and refer the case to the Chief Administrative Law Judge for the scheduling of an evidentiary hearing. Evidentiary hearings are conducted pursuant to Minn. Stat. § 211B.35. If the Administrative Law Judge dismisses the complaint, the complainant has the right to seek reconsideration of the decision on the record by the Chief Administrative Law Judge pursuant to Minn. Stat. § 211B.34, subd. 3.

Any party who needs an accommodation for a disability in order to participate in this hearing process may request one. Examples of reasonable accommodations include wheelchair accessibility, an interpreter, or Braille or large-print materials. If any party requires an interpreter, the Administrative Law Judge must be promptly notified. To arrange an accommodation, contact the Office of Administrative Hearings at 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401, or call 612/341-7610 (voice) or 612/341-7346 (TTY).

Dated: October 17, 2005

/s/ Bruce H. Johnson
BRUCE H. JOHNSON
Administrative Law Judge